

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

08 1175

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Civil No.:
v.)	
)	Judge:
THE McCLATCHY COMPANY)	
)	Filing Date: June 27, 2006
and)	
)	
KNIGHT-RIDDER, INC.)	
)	
Defendants.)	
)	

**PLAINTIFF UNITED STATES' EXPLANATION OF PROCEDURES FOR ENTRY OF
THE FINAL JUDGMENT**

Plaintiff United States submits this short memorandum summarizing the procedures regarding the Court's entry of the proposed Final Judgment. This Judgment would settle this case pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) ("APPA"), which applies to civil antitrust cases brought and settled by the United States.

1. Today, the United States filed a Complaint, a proposed Final Judgment, and a Hold Separate Stipulation and Order between the parties by which they have agreed that the Court may enter the proposed Final Judgment after the United States has complied with the APPA. The United States has also filed a Competitive Impact Statement relating to the proposed Final Judgment.

2. Defendants have agreed in the Hold Separate Stipulation and Order that they will

abide by the terms of the proposed Final Judgment in the interim and also follow certain procedures described in the Hold Separate Stipulation and Order between consummation of their merger and the divestitures required by the proposed Final Judgment. At this time, we ask that the Court only sign the Hold Separate Stipulation and Order.

3. The Hold Separate Stipulation and Order also contains the parties' agreement that, after compliance with the APPA, the Court may enter the proposed Final Judgment. The APPA requires that the United States publish the proposed Final Judgment and the Competitive Impact Statement in the Federal Register and in certain newspapers at least 60 (sixty) days prior to entry of the proposed Final Judgment. The notice will inform members of the public that they may submit comments about the proposed Final Judgment to the United States Department of Justice, Antitrust Division, 15 U.S.C. § 16(b)-(c).


4. During the 60-day period, the United States will consider, and at the close of that period, respond to, any comments that it has received, and it will publish the comments and the United States' responses in the Federal Register.

5. After the expiration of the 60-day period, the United States will file with the Court the comments and the United States' responses, and it may ask the Court to enter the proposed Final Judgment (unless the United States has decided to withdraw its consent to entry of the Final Judgment, as permitted by Paragraph 2 of the Stipulation, *see* 15 U.S.C. § 16(d)).

6. If the United States requests that the Court enter the proposed Final Judgment after compliance with the APPA, 15 U.S.C. § 16(e)-(f), then the Court may enter the Final Judgment without a hearing, provided that it concludes that the Final Judgment is in the public interest.

Dated: June 27, 2006

Respectfully submitted,

A handwritten signature in black ink, reading "Gregg I. Malawer". The signature is written in a cursive style with a horizontal line underneath the name.


Gregg I. Malawer
U.S. Department of Justice
Antitrust Division
325 7th Street, N.W. Suite 300
Washington, DC 20530
(202) 514-0230
Attorneys for Plaintiff the United States

CERTIFICATE OF SERVICE

I, Gregg I. Malawer, hereby certify that on June ²⁷~~26~~, 2006, I caused a copy of the foregoing Explanation of Consent Decree Procedures to be served on defendants, The McClatchy Company and Knight Ridder, Inc. by mailing the document first-class, postage prepaid, to the duly authorized legal representatives of the defendants, as follows:

Charles E. Biggio, Esquire
Wilson Sonsini Goodrich & Rosati
12 East 49th Street, 30th Floor
New York, NY 10017-8203

Ilene Gotts, Esquire
Wachtell, Lipton, Rosen, & Katz
51 W. 52nd Street,
New York, NY 10019
Phone: (212) 403-1247


Gregg I. Malawer
U.S. Department of Justice
Antitrust Division
325 7th Street, N.W. Suite 300
Washington, DC 20530
(202) 514-0230
Attorneys for Plaintiff the United States